



BILLING CODE 6560-50-P

## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2010-0014; FRL-9943-68]**

### **Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations to Terminate Certain Uses**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel and amend pesticide registrations. The amendment request also would delete one glyphosate use on seed production of creeping bentgrass with a Roundup Ready Gene. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw their requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registrations have been cancelled only if such sale, distribution, or use is consistent with the terms as described in the final order.

**DATES:** Comments must be received on or before *[insert date 180 days after date of publication in the Federal Register]*.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0014, by one of the following methods:

**16P-0061**

- *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail*: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

Submit written withdrawal request by mail to: Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. Attention: Miguel Zavala.

- *Hand Delivery*: To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Miguel Zavala, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-0504; email address: [zavala.miguel@epa.gov](mailto:zavala.miguel@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. General Information**

#### *A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates;

the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides.

*B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <http://www.epa.gov/dockets/comments.html>.

**II. What Action is the Agency Taking?**

This notice announces receipt by EPA of requests from registrants and stakeholders to cancel and delete certain product registrations and amend certain uses of the chemicals listed in Unit II., Tables 1 and 2, registered under FIFRA section 3 (7 U.S.C. 136a) or 24(c) (7 U.S.C. 136v(c)). These registrations are listed in sequence by registration number (or company number and 24(c) number).

Unless a request is withdrawn by the registrant or if the Agency determines that there are substantive comments that warrant further review of this request, EPA intends to issue an order canceling and amending the affected registrations.

**Table 1.–Product Registrations with Pending Requests for Cancellation**

<b>Registration Number</b>	<b>Product Name</b>	<b>Active Ingredient</b>
100-1244	Banner Dry Maxx	Propiconazole
3525-71	Utikem Black Algae Killer	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
3525-91	Coastal Mind Disinfectant	Alkyl* dimethyl benzyl ammonium chloride *(58% C14, 28% C16, 14% C12)
3525-96	Jolt Pool Shock Treatment for Control of Algae	Lithium hypochlorite
3525-109	Algaecide & Pool Conditioner	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
9198-205	Andersons Golf Products Turf Enhancer 2SC	Paclobutrazol
10324-56	Maquat 256	Alkyl* dimethyl benzyl ammonium chloride *(60% C14, 30% C16, 5% C18, 5% C12) and Alkyl* dimethyl ethylbenzyl ammonium chloride *(68% C12, 32% C14)
35935-41	Dithiopyr Technical	Dithiopyr
35935-49	Dynamo Dithiopyr Technical	Dithiopyr
35935-75	Dithiopyr Technical	Dithiopyr
53883-207	Dithiopyr 0.13% Plus Fertilizer	Dithiopyr
53883-208	Dithiopyr 0.25% Plus Fertilizer	Dithiopyr
53883-209	Dithiopyr 0.172% Plus Fertilizer	Dithiopyr
53883-210	Dithiopyr 0.107% Plus Fertilizer	Dithiopyr
53883-211	Dithiopyr 0.06% Plus Fertilizer	Dithiopyr
53883-212	Dithiopyr 0.086% Plus Fertilizer	Dithiopyr
53883-213	Dithiopyr 0.1% Plus Fertilizer	Dithiopyr
53883-268	Dithiopyr Concentrate for Fertilizer	Dithiopyr
53883-311	Quali-Pro Dithiopyr 2L	Dithiopyr
66222-143	Alias 4F Flowable Insecticide	Imidacloprid
81002-1	Chlorine Free Splashes Algicide	Dialkyl* methyl benzyl ammonium chloride *(60% C14, 30% C16, 5% C18, 5% C12) and Alkyl* dimethyl benzyl ammonium chloride *(60% C14, 30% C16, 5% C18, 5% C12)
AZ-080006	Brigade 2EC Insecticide/Miticide	Bifenthrin
CA-030012	Clinch Ant Bait	Abamectin

MA-080001	Dupont Manzate Pro-Stick Fungicide	Mancozeb
ND-110002	Moncut 70-DF	Flutolanil
ND-130003	F7583-3 Herbicide	S-Metolachlor and Sulfentrazone
OR-100003	TOPSIN M WSB	Thiophanate-methyl
OR-080035	Callisto Herbicide	Mesotrione
OR-100010	Callisto Herbicide	Mesotrione
SD-130008	SC 547 Herbicide	Tembotrione and Thiencarbazone-methyl
WA-090003	Topsin M 70WP	Thiophanate-methyl
WA-930026	Rovral 4 Flowable Fungicide	Iprodione
WA-940006	Rovral 4 Flowable Fungicide	Iprodione
WA-960027	Rovral 4 Flowable Fungicide	Iprodione
TX-100019	Devrinol 50-DF Selective Herbicide	Napropamide

**Table 2.–Product Registrations with Pending Requests for Amendment**

Registration Number	Product Name	Active Ingredient	Uses to be Deleted
524-475	Roundup Ultra Herbicide	Glyphosate – isopropylammonium	Seed production of creeping bentgrass with a Roundup Ready Gene

Table 3 of this unit includes the names and addresses of record for the registrants of the products listed in Table 1 and Table 2 of this unit, in sequence by EPA company number, which corresponds to the first part of the EPA product registration number under FIFRA section 3 (7 U.S.C. 136a), or by 24(c) number under FIFRA section 24(c) (7 U.S.C. 136v(c)), of the products listed in Tables 1 and 2 of this unit.

**Table 3.–Registrants Requesting Voluntary Cancellation and/or Amendments**

EPA Company Number	Company Name and Address
100 CA030012 OR080035 OR100010	Syngenta Crop Protection, LLC., 410 Swing Road, P.O. Box 18300, Greensboro, NC 27419-8300
524	Monsanto Company, 1300 I Street, NW., Suite 450 East, Washington, DC 20005-7211
3525	Qualco, Inc., 225 Passaic Street, Passaic, NJ 07055
9198	The Andersons Lawn Fertilizer Division, Inc., 521

	Illinois Avenue, P.O. Box 119, Maumee, OH 43537
10324	Mason Chemical Company 723 W. Algonquin Road, Suite B Arlington Heights, IL 60005
35935	Nufarm Limited (Agent to Nufarm Americas, Inc.) 4020 Aerial Center Parkway, Suite 101 Morrisville, NC 27560
53883	Control Solutions, Inc., 5903 Genoa-Red Bluff Road Pasadena, TX 77507-1041
66222	Makhteshim Agan of North America, Inc., 3120 Highwoods Blvd., Suite 100, Raleigh, NC 27604
81002	Splashes, Inc., 90 Boroline Road Allendale, NJ 07401
AZ080006 ND130003	FMC Corp., 1735 Market Street, Room 1971 Philadelphia, PA 19103
MA080001 TX100019	United Phosphorus, Inc., 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406
ND 110002	Gowan Company, P.O. Box 5569, Yuma, AZ 85366
OR100003 WA090003	Nippon Soda Co., Ltd., 88 Pine Street, 14th Floor New York, NY 10005
SD130008 WA930026 WA940006 WA960027	Bayer Cropscience, LP, 2 T.W. Alexander Drive, P.O., Box 12014, Research Triangle Park, NC 27709

### III. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA (7 U.S.C. 136d(f)(1)(B)) requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) (7 U.S.C. 136d(f)(1)(C)) requires that EPA provide a 180-day

comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 3 of Unit II have not requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 180-day comment period on the proposed requests.

#### **IV. Procedures for Withdrawal of Request**

Registrants who choose to withdraw a request for cancellation should submit the withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the product has been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

#### **V. Provisions for Disposition of Existing Stocks**

A. Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Because the Agency has identified no significant potential risk concerns associated with these pesticide products, upon cancellation of the products identified in Table 1 of Unit II., EPA anticipates allowing registrants to sell and distribute existing stocks of these products for 1 year after publication of the Cancellation Order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or distributing the pesticides identified in Table 1 of Unit

II., except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

B. For the product identified in Table 2 of Unit II., in a letter dated October 22, 2015, the registrant states that the use to be deleted was never registered for use in any state, added to the master label, or used for its stated purpose. Therefore, because there are no existing stocks, EPA anticipates that no existing stocks provision to sell, distribute, or use existing stocks is needed for the registrant or persons other than the registrant.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: June 1, 2016.

Michael Goodis, Acting

*Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

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